

Appln. No.: 10/526,662
Amendment Dated February 26, 2007
Reply to Office Action of December 1, 2006

PC10495US

Amendments to the Drawings:

Applicant is attaching Replacement Sheets containing corrections to Figures 1-3. These sheets replace the original sheets.

Attachment

Remarks/Arguments:

Claims 7-12 are currently pending in the application.

In the Office Action dated December 1, 2006, the drawings were objected to based on formal matters. Claim 11 was considered indefinite under 35 U.S.C. § 112. Claims 7-9 and 12 were considered anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,810,316 ("Yokoyama et al."). Claims 10 and 11 were considered obvious under 35 U.S.C. § 103 over Yokoyama et al. in view of U.S. Pub. No. 2003/0121734 A1 ("Staltmeir").

Interview Summary

Applicant gratefully appreciates the Examiner's agreement to the telephone interview on December 22, 2006. During the interview, the Examiner and Applicant's attorney discussed the Office Action, and particularly the question of whether "spacers" were disclosed in the references of record. After some clarification of the spacer elements, Applicant's attorney proposed an amendment to claim 7, which the Examiner indicated would overcome the cited references. The proposed amendment to claim 7 has been incorporated into this amendment in the form it was discussed, and is explained below.

Drawings

Applicant is submitting replacement drawing sheets containing corrected versions of Figs. 1-3. Figures 1-3 were revised to remove inventor names from the drawing sheets. Figures 1 and 2 were also revised to remove reference number "6". Applicant believes that the drawing objections are addressed and may now be withdrawn.

Claim Rejections - 35 U.S.C. § 112

Applicant has amended claim 11 to remove the language perceived to be indefinite, and to recite that the plurality of first spacers and the plurality of second spacers comprise a heat-insulating material. Support for this amendment is included in applicant's specification, including but not limited to paragraph [0016] of the substitute specification, which describes one embodiment of the invention. No new matter has been added.

Claim Rejections - 35 U.S.C. § 102, § 103

As noted above, claim 7 was amended to recite "a plurality of first spacers extending from the control and regulation unit, and a plurality of second spacers extending from the actuator, the plurality of first spacers coupling with the plurality of second spacers to interconnect the control and regulation unit with the actuator, the first and second spacers forming a gap between the control and regulation unit and the actuator." Support for this amendment is provided in paragraphs [0016]-[0018] of the substitute specification, which describe, among other benefits, protection of the electrical plug coupling against mechanical stress, and a secure connection that protects against improper separation of the control and regulation unit 2 from the actuator 1. These benefits are not discussed in the cited art.

None of the cited references include a plurality of first spacers extending from the control and regulation unit, and a plurality of second spacers extending from the actuator, the

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plurality of first spacers coupling with the plurality of second spacers to interconnect the control and regulation unit with the actuator, the first and second spacers forming a gap between the control and regulation unit and the actuator. Yokoyama et al. does not disclose any spacers. The Office Action takes the position that the casing (13) of drive controller (6) "functions as a spacer". This point was discussed during the telephone interview. Applicant submits that "functioning as a spacer" does not make the casing a spacer. Moreover, there is no spacer extending from the actuator that couples with the casing (13). Staltmeir also lacks spacers extending from both a control and regulation unit, and from an actuator. For all of the foregoing reasons, Applicant respectfully submits that the proposed amendment to claim 7 is allowable.

Claims 8-12 are dependent on claim 7 and incorporate all the features recited in claim 7. Therefore, Applicant respectfully submits that claims 8-12 are allowable over the cited references for at least the same reasons that claim 7 is allowable.

Conclusion

In view of the foregoing amendments and remarks, Applicant believes that the application is in form for allowance. If the Examiner believes there are any issues precluding allowance at this time, the Examiner is encouraged to telephone the undersigned attorney to discuss an expeditious resolution.

Respectfully submitted,



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RPS/CAR/dhm

Attachments: Figures 1-3 (3 sheets)

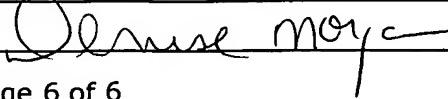
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February 26, 2007



Denise Moyer